

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

STEPHEN McCOLLUM, *et al.*,
Plaintiffs,

v.

BRAD LIVINGSTON, *et al.*,
Defendants.

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No. 4:14-cv-03253

ORDER

Following conference on July 28, 2015, attended by counsel for all parties, the Court enters the following **ORDERS** in the above-captioned matter:

1. Defendant University of Texas Medical Branch at Galveston's ("UTMB") objections (Dkt. # 224) to the Court's Order (Dkt. # 219, Cause No. 3:12-cv-02037-L file January 26, 2015 USDC-Northern District) relating to Plaintiffs' motion for sanctions (Dkt. # 164) are transferred to the Hon. Sam J. Lindsay of the United States District Court for the Northern District of Texas, Dallas Division for consideration and ruling;
2. Plaintiffs' motion to strike UTMB's objections to the Hon. Magistrate Judge Renee Toliver's Order on Plaintiffs' motion for sanctions (Dkt. # 226) is denied as moot;
3. The Court defers Defendant Brad Livingston's pending motion to dismiss based on qualified immunity (Dkt. # 85, 97, 121) and the Court will permit the parties to conduct narrowly tailored discovery on the issue of qualified immunity, and to permit discovery regarding Mr. Livingston as agreed by the Parties. Livingston may choose to file a motion for summary judgment on the issue of qualified immunity on or before November 2, 2015;
5. A reasonable time shall be permitted for Livingston's deposition. The parties shall attempt to agree to reasonable time limits for Livingston's deposition, and if that is not possible, the Court will determine reasonable time limits;

6. Livingston's deposition will be conducted in the Court's chambers or other location agreed upon by the parties and will be attended by the Court;
7. Any previously entered stay of discovery is lifted as of the date of this Order;
8. No discovery shall be permitted after February 19, 2016, except by agreement of the parties;
9. Dispositive motions shall be filed no later than March 7, 2016; and
10. Jury selection shall begin on June 6, 2016.

Signed at Houston, Texas, this 26th day of August, 2015.


KEITH P. ELLISON
United States District Judge